

Gazette
10-26-05

Perez: 'I am trying to save taxpayers a buck or two' on prescription drugs

The Gazette's Oct. 19 editorial ("Perez should follow the law") was far off the mark, but I will plead guilty to a few things.

I am trying to save taxpayers a buck or two. I am trying to ensure that folks with high prescription maintenance drug costs get some relief. I am trying to push the envelope on an issue where the big pharmaceutical companies and the politicians they own on Capitol Hill have stymied any effective federal action on affordable drugs.

The Gazette says reimporting prescription drugs from Canada is not legal. I disagree — and so do the state attorney general of Minnesota and a lot of other lawyers smarter than me, legal opinions The Gazette failed to note. Many states and local jurisdictions have moved ahead with reimportation programs. None of them have been taken to court. No state attorney general or school board member has been tapped on the shoulder, much less jailed, by the federal Food and Drug Administration. No liability risks such as those darkly referred to by The Gazette have surfaced.

In fact, when we had FDA Commissioner

William Hubbard at the council last year for a forum on this issue, he was asked why the FDA hadn't gone after local governments implementing Canadian drug programs. "We are trying to do the right thing and you are trying to do the right things," said Hubbard. "The good guys shouldn't be fighting with the good guys here. It may come down some day to a judge having to referee this battle. We don't want to go after you."

Let's parse that response. If Canadian drug programs are, as The Gazette says, illegal and potentially unsafe, why are we good guys? Shouldn't the FDA come down on transgressors? They don't. Why? Because they know their objections are baloney.

And there ought to be an example — just one, somewhere — of folks harmed by unsafe drugs imported from Canada through one of the programs in operation or from the estimated 5 million individuals who have bought medications there on their own.

None. In fact, Canada's system of quality control is, if anything, superior to our own. And there is a far greater health risk to Americans from not taking medication they need

because of exorbitant cost than any supposed Canadian problem.

We know that it's "politics" that is getting in the way of importing safe, high-quality drugs from Canada, not science. It's the 769 registered drug company lobbyists on Capitol Hill that are thwarting efforts by Republican and Democratic legislators alike to move reimportation forward.

The Gazette's remonstrations that we should get Congress to change the law are nice, but the special interests have worked with their allies to block the way.

Now, we can just accept that as a given. We can hide behind a single interpretation of the law that not even the FDA seems to believe. Or we can join those states and localities that are working around the federal logjam to save taxpayers and offer the option — the choice, mind you — to employees and retirees to get cheaper, high-quality prescription maintenance drugs from Canada.

The people are way ahead of the politicians — not to mention The Gazette — on this issue. In a survey done by county government, 72 percent of employees said they'd

like to see a Canadian drug option. Why not give them that choice?

And let's not forget the question of savings. The Gazette occasionally ruminates on the cost of benefits to our teachers and cops and firefighters. By purchasing Canadian drugs, we can save millions — maybe lots of millions, maybe only a couple, depending on participation by employees. In fact, we've already saved millions by driving a harder bargain with our regular prescription drug supplier, who knows we are moving toward a Canadian option. I don't think we ought to leave millions of dollars more in savings on the table.

I respect the law. If a court tells us to stop saving taxpayers, employees and retirees money as a result of a civil suit filed by the FDA, I'll respect that court. But I've never been content to sit on my hands in my whole life, and I'm not about to start now. If, as in The Gazette's view, that harms my possible campaign for state attorney general, well, so be it.

Thomas E. Perez, Takoma Park

The writer represents District 5 on the County Council, where he also serves as council president.